

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0262 – Central Austin
Vertical Mixed Use Building (V) Rezonings

PC DATE: January 13, 2009,
December 9, 2008; October 28, 2008; August
26, 2008; June 24, 2008; May 27, 2008;
April 22, 2008; February 12, 2008; January
15, 2008.

C.C DATE: February 26, 2009; February 12, 2009; January 29, 2009

AREA: approximately 5.3 acres

APPLICANT: City of Austin, Neighborhood Planning and Zoning Department (NPZD)

AGENT: City of Austin, Neighborhood Planning and Zoning Department (NPZD),
Minal Bhakta

NEIGHBORHOOD ORGANIZATIONS:

Alliance to Save Hyde Park
Austin Independent School District
Austin Neighborhoods Council
Beau Site Neighborhood
Caswell Heights Neighborhood Association
Caswell Pease Neighborhood Association
Central Austin Neighborhoods Planning Area Committee
City of Austin Downtown Commission
Dellwood Neighborhood Assn.
Downtown Austin Alliance
Downtown Austin Neighborhood Assn. (DANA)
Downtown Austin Neighborhood Coalition
Eastwoods Association
Five Rivers Neighborhood Assn.
Greater West Austin Neighborhood Planning Area
Hancock Neighborhood Assn.
Heritage Neighborhood Assn.
Home Builders Association of Greater Austin
Homeless Neighborhood Organization
Hyde Park Neighborhood Assn.
Judges' Hill Neighborhood Association
Keep the Land
M.K. Hage
Mueller Neighborhoods Coalition

Non-Profit Student Housing Preservation Group
North Austin Neighborhood Alliance
North Capitol Area Neighborhood Assn.
North Loop Neighborhood Planning Liaison-COA
North Loop Neighborhood Planning Team
North University Neighborhood Assn.
North University Planning Team
Old Enfield Homeowners Assn.
Pemberton Heights Neighborhood Association
PODER People Organized in Defense of Earth & Her
Resources
Ridgetop Neighborhood Association
Rosedale Neighborhood Assn.
Sentral Plus East Austin Koalition (SPEAK)
Shoal Crest Neighborhood Assn.
Taking Action Inc.
The Original West University Neighborhood Association
University Area Partners
Upper Boggy Creek Neighborhood Planning Team
West Campus Neighborhood Association
West University Neighborhood Association
Wilshire Wood-Dellwood I Neigh. Assn.

AREA OF PROPOSED ZONING CHANGES: Tract 10, 711 W. 38th Street is located within the Central Austin Combined Neighborhood Planning area. The subject tract is fronting on 38th Street and has West Avenue to its west and King Street to its East. The planning area is bounded by Lamar Blvd. and Duval Street to the west, 45th Street to the north, IH-35 to the east, Lamar Boulevard on the west, and Martin Luther King, Jr. Blvd. to the south (excluding the University of Texas at Austin Campus). Please refer to Attachment 5.

APPLICABLE CORE TRANSIT CORRIDORS: N Lamar Ave, W 38th St, Guadalupe Street, E MLK Blvd, Airport Blvd.

STAFF COMMENTS:

On February 12, 2009 hearing, the City Council postponed tract 10 (711 W. 38th street) to February 26, 2009 hearing. The current zoning on tract 10 is GR-CO-NP (community commercial-conditional overlay-neighborhood plan) fronting 38th street and LO-MU-NP (limited office-mixed use-neighborhood plan) on the back of the property. The subject tract is within the VMU Overlay District and is approximately 5.3 acres. The neighborhood recommendation is to exclude tract 10 from the VMU overlay district.

Planning Commission Recommendation on Tract 10 [January 13, 2009]:

- Approved VMU building zoning with Dimensional Standards incentive on the GR-CO-NP portion of Tract 10 (fronting 38th Street).
- Approved an affordability level of 60% of the median family income for 10% of rental units in a vertical mixed use building.

City Council Recommendation on Central Austin VMU application [January 29, 2009 1st reading]:

- Amended the VMU Overlay District to exclude tracts 2-6, 11-12, 14-52, 57-64, and 66-67 from the VMU Overlay District. Tract 10 was postponed to January 13, 2008.
 - *Council recommendation is the same as the neighborhood recommendation. Council postponed Tract 10 to February 12, 2009 public hearing.*
- Approved vertical mixed use building (V) zoning with only Dimensional Standards and Additional Uses in Office Districts to tracts 1, 7-9, 13, and 65.
 - *Council recommendation is the same as the neighborhood recommendation.*
- Approved vertical mixed use building (V) zoning with no bonus incentives to tracts 53-56.
 - *Council recommendation is the same as the neighborhood recommendation.*
- Approved vertical mixed use building (V) zoning with only Dimensional Standards to tract 101-102.
 - *Council recommendation is the same as the neighborhood recommendation.*
- Approved vertical mixed use building (V) zoning with only Dimensional Standards and Additional Uses in Office Districts to tract 103.
 - *Council recommendation is the same as the neighborhood recommendation.*
- Approved an affordability level of 60% of the median family income for 10% of rental units in a vertical mixed use building.
 - *Council recommendation is the same as the neighborhood recommendation.*

LIST OF ATTACHMENTS:

Attachment 1: Neighborhood Recommendation Map

Attachment 2: Zoning Maps

Attachment 3: Neighborhood Recommendations Table & Address Table for Tract 10.

Attachment 4: Overview of Vertical Mixed Use (VMU) and the VMU Opt-In/Opt-Out Process.

Attachment 5: Central Austin Combined Neighborhood Vertical Mixed Use (VMU) Opt-In / Opt-Out Application

Attachment 6: Public Comment Forms that speak to 711 W. 38th Street property specifically – 4 in favor.

Comment Forms received for Central Austin VMU application - 16 in support, 4 in opposition, 1 in support of neighborhood recommendations.

NEIGHBORHOOD RECOMMENDATION:

In addition to the recommendation detailed in the Central Austin VMU Neighborhood Recommendations table (Attachment 1), the neighborhoods also recommend strict screening requirements for parking facilities and utility and service equipment on properties adjacent to single-family residential uses. However, the city's design standards for commercial development already provide the following screening requirements:

“Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscape so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Screening materials for solid waste collection and loading areas shall be the same as, or of equal quality to, the materials used for the principal building.”

Additionally, the City's compatibility standards require that developments screen mechanical equipment, storage, refuse collection, and off-street parking by providing a yard, fence, berm, or vegetation. Also, a permanently placed refuse receptacle, including a dumpster, may not be located 20 feet or less from a single-family property. And compatibility standards require a setback for parking areas that is 25 feet for sites greater than 125 feet wide, with a gradually decreasing setback requirement for more narrow sites.

Staff feels that these existing standards and requirements address neighborhood concerns for screening.

The Central Austin neighborhoods also expressed a concern for design standards for the “back” portion of VMU buildings that face the neighborhood. They request that more attention be paid to requiring better design so that neighborhoods are not forced to face unattractive portions of buildings such as large blank walls or a parking garage. Additionally, they would like compatibility standards to apply to multifamily as well as single-family properties. Since these

requests deal with adjusting the VMU standards as a whole, rather than just specific properties in this neighborhood, staff is not including these requests as part of this rezoning case.

CASE MANAGER: Minal Bhakta **E-MAIL:** minal.bhakta@ci.austin.tx.us **PHONE:** 974-6453

WATERSHEDS: Shoal, Waller, Boggy(urban) **DESIRED DEVELOPMENT ZONE:** Yes

SCHOOLS: Lee Elementary School

ISSUES: None at this time.

CITY COUNCIL DATE: February 12, 2009

ACTION:

ORDINANCE READINGS: 1st-

ORDINANCE NUMBER:

BACKGROUND

On August 31, 2006, the City Council adopted the "Design Standards & Mixed Use" ordinance as Subchapter E of Chapter 25-2 of the City Code. Most of the provisions of the ordinance went into effect on January 13, 2007. However, a separate process and schedule was established within the ordinance for Vertical Mixed Use.

The VMU Opt-In/Opt-Out process provides an opportunity for neighborhoods to offer recommendations regarding the location and development standards for Vertical Mixed Use Buildings. The primary focus of this process is on property fronting certain major arterials defined as Core Transit Corridors; however, other properties may also be eligible for VMU. With some exceptions, properties fronting on a Core Transit Corridor are eligible for VMU unless "opted-out". Properties not fronting on the Core Transit Corridors are not eligible for VMU unless "opted-in".

As part of the Vertical Mixed Use (VMU) Opt-In/Opt-Out process the city of Austin was divided into approximately 80 neighborhood planning and/or VMU application areas. Over the next several months each of the application areas affected by the VMU process will be the subject of a zoning case. The Planning Commission will review these cases and provide recommendations to the City Council who will make the final determination as to the applicability of VMU. Zoning case C14-2007-0262 is the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the Central Austin Combined Neighborhood application area. A more detailed overview of Vertical Mixed Use and the Opt-In/Opt-Out process is provided in Attachment 7.

Representatives of the Central Austin Combined Neighborhood Plan Contact Team submitted a Vertical Mixed Use (VMU) Opt-In / Opt-Out Application to the City on June 4, 2007. The Contact Team submitted an amended application on August 9, 2007.

Impervious Cover

The maximum impervious cover limits for the proposed zoning districts are as follows:

LI, Limited Industrial Services	80 %
CS, Commercial Services	95 %
CS-1, Commercial – Liquor Sales	95 %
W/LO, Warehouse Limited Office	70%

GR, Community Commercial	90 %
LR, Neighborhood Commercial	80 %
LO, Limited Office	70 %
MH, Mobile Home	N / A
MF-4, Multifamily Residence Moderate – High Density	70%
MF-3, Multi-family Residence (Medium Density)	65 %
MF-2, Multi-family Residence (Low Density)	60 %
SF-6, Townhouse & Condominium Residence	55%
SF-5, Urban Family Residence	55%
SF-3, Family Residence	45 %
SF-2, Single Family Residence – Standard Lot	45 %
P, Public	varies (refer to the <u>Land Development Code</u>)

The maximum amount of impervious cover is determined as the more restrictive figure of the zoning district and watershed class.

Transportation

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract-by-tract basis for any proposed land uses as would typically be provided.

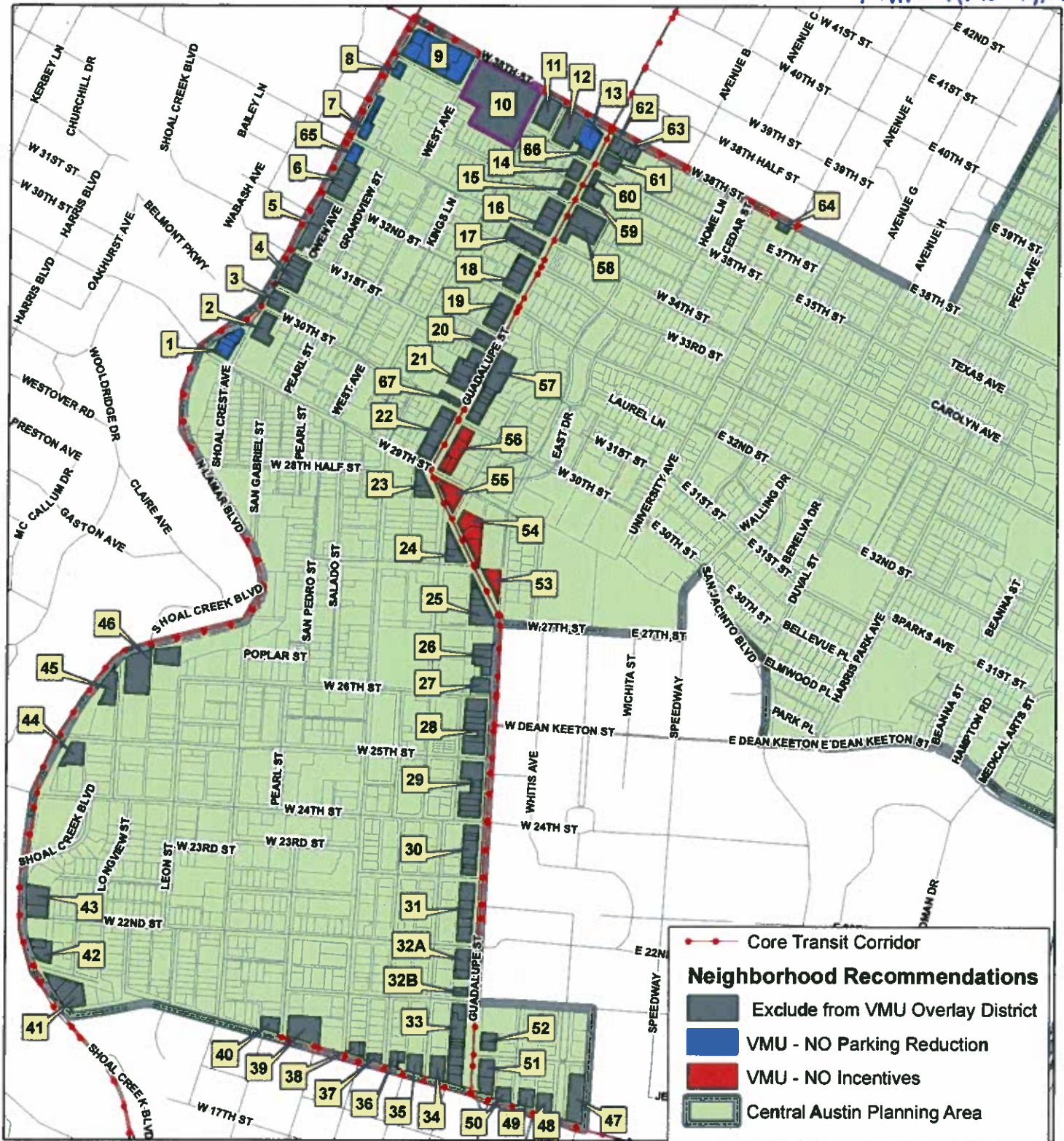
A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

Water and Wastewater

The area is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

Compatibility Standards

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district/use will be subject to compatibility development regulations.



Central Austin Combined Neighborhood Planning Area Neighborhood Recommendations Tract 10 - 711 W. 38th Street C14-2007-0262 (Part)

Produced by City of Austin
Neighborhood Planning and Zoning Dept.
December 26, 2007

Please refer to attached tables "Central Austin Combined Planning Area VMU Application Properties" and "Central Austin Combined Planning Area VMU Neighborhood Recommendations" for more information.

This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.



**Central Austin Combined Neighborhood Planning Area
Vertical Mixed Use (VMU) Tract Map
VMU OPT-IN Properties
C14-2007-0262**



Produced by City of Austin
Neighborhood Planning and Zoning Dept.
December 26, 2007

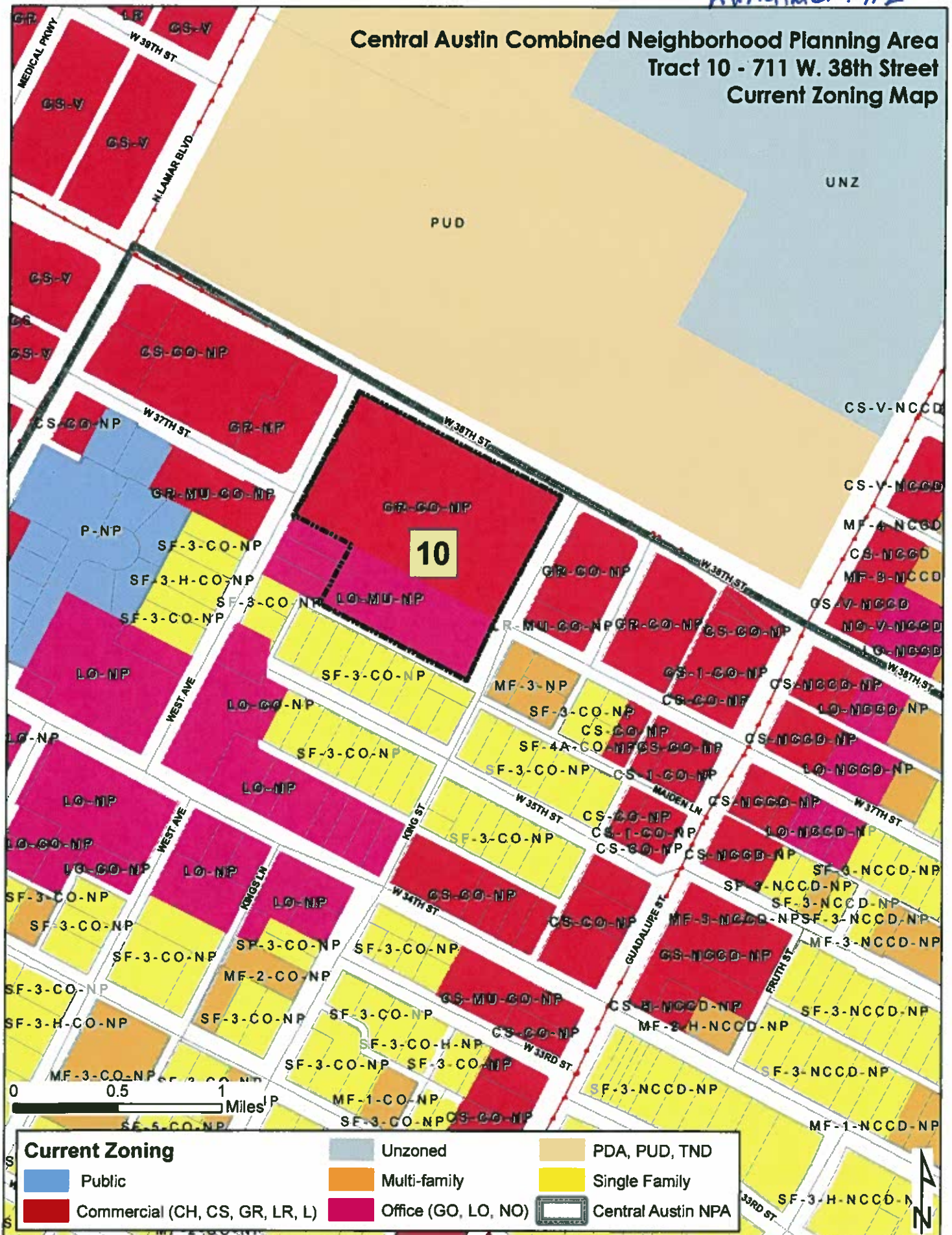
Please refer to attached tables "Central Austin Combined Planning Area VMU Application Properties" and "Central Austin Combined Planning Area VMU Neighborhood Recommendations" for more information.

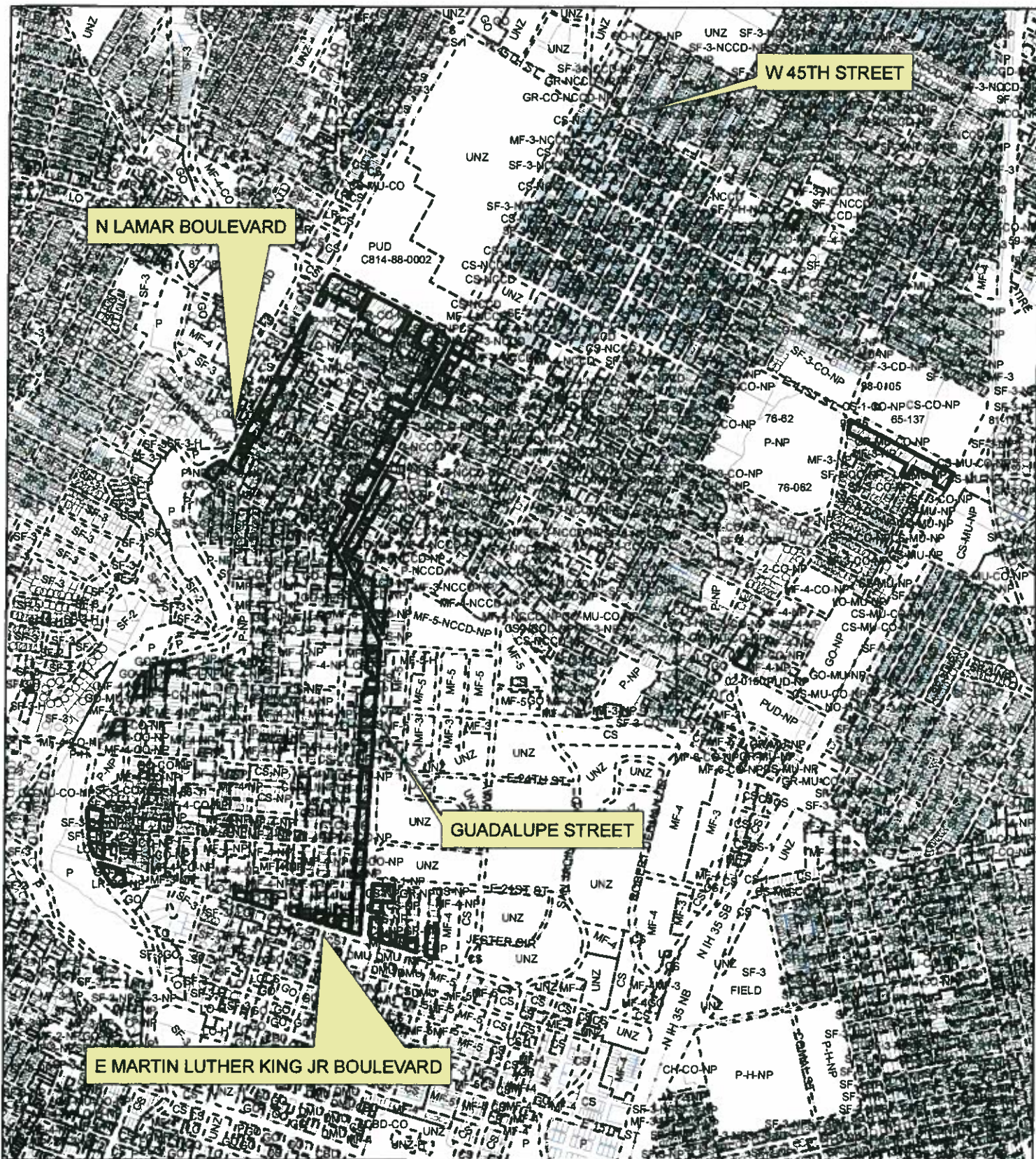
0 250 500 1,000 Feet



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**Central Austin Combined Neighborhood Planning Area
Tract 10 - 711 W. 38th Street
Current Zoning Map**





ZONING



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE

ZONING CASE#: C14-2007-0262
 ADDRESS: DUVAL ST
 SUBJECT AREA: 70.01 ACRES
 GRID: J23-25 K24-25
 MANAGER: A. HOLUBECK

OPERATOR: S. MEEKS



1" = 1600'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

**Central Austin Combined Planning Area VMU Neighborhood Recommendation
Tract 10 - 711 W 38th Street
C14-2007-0262**

VMU Overlay District					
Tract # (1)	All VMU-Related Standards Apply	OPT OUT (2)			Exclude from VMU Overlay District
		Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts	
10					X

If Applicable: RECOMMENDED AFFORDABILITY LEVEL FOR 10% OF RESIDENTIAL UNITS FOR RENTAL WITHIN A VERTICAL MIXED USE BUILDING: 60%

- (1) The tract number refers to the numbered tract on the Vertical Mixed Use (VMU) Tract Map.
 (2) Please refer to attached information for explanations of Opt-In and Opt-Out options.

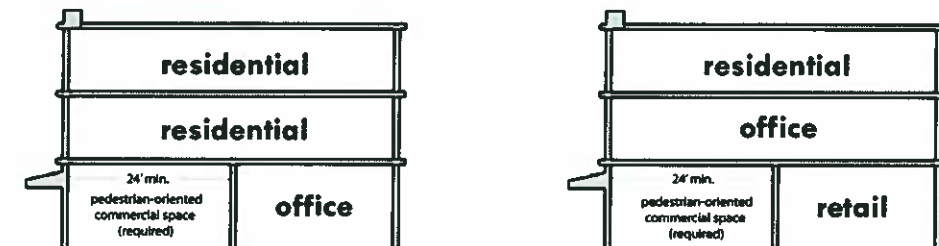
Vertical Mixed Use (VMU) Overlay District Property		
Tract # (1)	TCAD Property ID (2)	COA Address (3)
10	525524	711 W 38TH ST

- (1) The tract number refers to the numbered tract on the Vertical Mixed Use (VMU) Tract Map
 (2) TCAD Property ID number represents a separate property, as recorded by the Travis Central Appraisal District.
 (3) The COA Address listed for property are those addresses on file with the city pertaining to that property.

OVERVIEW OF VERTICAL MIXED USE (VMU) AND THE VMU OPT-IN/OPT-OUT PROCESS

WHAT IS A VERTICAL MIXED USE BUILDING?

A vertical mixed use building contains a mix of residential and commercial uses. Typically, commercial uses (i.e. retail shops, restaurants, offices) are located on the ground floor, while residential units (condominiums or apartments) are located on upper levels. Below, are some examples of a vertical mixed use building:



WHAT IS THE VERTICAL MIXED USE (VMU) OVERLAY DISTRICT?

In an effort to encourage vertical mixed use buildings, the City Council established a vertical mixed use (VMU) overlay district. The district includes most commercially zoned and used properties along Core Transit Corridors and Future Core Transit Corridors as defined in the Commercial Design Standards. Core Transit Corridors include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Examples include sections of South Congress Avenue, Riverside Drive, North and South Lamar Boulevard, and Guadalupe Street. Properties within this district have the additional option to develop a vertical mixed use building subject to specific design standards.

WHY VERTICAL MIXED USE BUILDINGS?

- Encourages density on commercial corridors with higher levels of transit service
- Focused on the creation of a high quality pedestrian and transit-supportive environment
- Consistent with Envision Central Texas (ECT) Preferred Scenario
- Provides a more sustainable development pattern

WHAT ARE THE STANDARDS FOR A BUILDING?

- Must have a mix of uses
- Must have pedestrian-oriented spaces on the ground floor
- Must contain residential dwelling units
- Possibility for relaxed site development standards—some of which require a residential affordability component

WHAT ARE THE RELAXED SITE DEVELOPMENT STANDARDS?

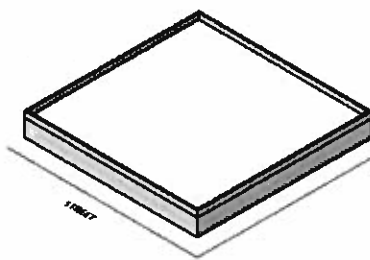
Dimensional Standards

These dimensional standards listed below are a “package” and must be accepted or rejected as such in the opt-in/opt-out process.

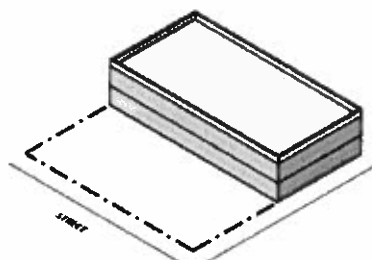
- **Setbacks**—no minimum front, street side or interior side yard setbacks. A setback refers to how far a building must be placed from a particular property line.
- **Floor to Area Ratio**—no floor to area ratio (FAR) limit.

The floor area ratio (FAR) is the principal bulk regulation controlling the size of buildings. FAR is the ratio of total building floor area in relation to the area of its zoning lot. Each zoning district has an FAR control which, when multiplied by the lot area of the zoning lot, produces the maximum amount of floor area allowable in a building on the zoning lot.

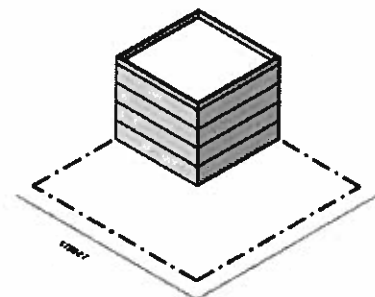
For example, on a 10,000 square-foot zoning lot in a district with a maximum FAR of 1.0, the floor area of a building cannot exceed 10,000 square feet.



FAR=1.0
10,000 sq. ft. building
covering 100% of lot



FAR=1.0
10,000 sq. ft. building
covering 50% of lot



FAR=1.0
10,000 sq. ft. building
covering 25% of lot

- **Building Coverage**—no building coverage limit. Most zoning districts place a percentage limit on the amount of a lot that may be covered by a building. This provision would not change the amount of impervious cover allowed on site. Impervious cover is anything that stops water from being absorbed into the ground and includes such things as buildings, driveways, and sidewalks.
- **Minimum Site Area**—no “minimum site area” requirements. Site area requirements limit the number of dwelling units on a site by requiring a certain amount of square footage at a site for a specific type of multi-family unit (efficiency, one-bedroom, two-bedroom, etc.). For example, if a zoning district for a 10,000 square foot lot requires 2,500 square feet for each two-bedroom unit, then four two-bedroom units can be built on that lot.

Off-Street Parking Reduction

Minimum off-street parking for the commercial uses within a VMU building can be reduced to 60% of the normal Land Development Code requirements. Residential uses within a VMU building receive this parking reduction by right and cannot be changed through this process. The parking reduction cannot be used in addition to any other parking reduction allowances

such as the one for properties within the Urban Core. Below are some typical uses and the amount of parking required.

- A small restaurant or bar, billiard parlor—one space per 100 sq/ft of floor space
- Convenience Store, bank, bowling alley, liquor store, barber shop, yoga studio, pet shop—one space per 275 sq/ft of floor space
- Furniture or carpet store—one space per 500 sq/ft of floor space

Additional Ground Floor Commercial Uses in Office Districts

If approved through the opt-in/opt-out process, the following commercial uses will be allowed in a VMU building in an office zoning district (**NO, LO, GO**):

- Consumer convenience services (allows private postal boxes, safety deposit boxes, and ATMs)
- Food Sales (allows grocery stores, delicatessens, meat markets, retail bakeries, and candy shops),
- General Retail Sales Convenience and General (allows a full range of retail establishments)
- Restaurants Limited and General (without drive-thrus).

Zoning use information can be found starting on page 45 of the following document:
http://www.ci.austin.tx.us/zoning/downloads/np_guide.pdf.

WHAT IS THE OPT-IN/OPT-OUT PROCESS?

The City Council established a one-time process whereby neighborhoods provided recommendations on the location and the development characteristics of Vertical Mixed Use (VMU) buildings. Application materials were sent to each registered neighborhood planning team, or neighborhood association if there was not an established planning team.

The Neighborhood Planning & Zoning Department is currently in the process of reviewing the application submittals and forwarding the neighborhood recommendations to Planning Commission and City Council. The Planning Commission reviews the neighborhood requests and forwards a recommendation to City Council. After considering the Neighborhood's and Planning Commission's recommendations, the City Council makes a decision on the vertical mixed use application.

WHAT TYPES OF RECOMMENDATIONS CAN BE MADE BY THE NEIGHBORHOOD?

- 1) Amend the boundaries of the vertical mixed use overlay district to remove a property from the overlay district. If a property is removed from the overlay district, a vertical mixed use building is not permitted on the property.
- 2) Allow for the vertical mixed use building option on properties outside of the VMU Overlay. A neighborhood can recommend to opt-in a commercially zoned property with any of the relaxed dimensional standards.
- 3) VMU Overlay District Opt-Out—the neighborhood can recommend to remove some or all of the relaxed site development standards to the VMU eligible properties within the overlay district.

- 4) **Affordability Level**—If VMU Buildings are approved through the opt-in/opt-out process and take advantage of the dimensional and/or parking exemptions they are subject to certain affordability requirements.

Owner-Occupied Units—Five percent of residential units shall be affordable for households earning no more than 80 percent of the current Median Family Income (MFI). Five percent of the residential units shall be affordable for households earning no more than 100 percent of the MFI. The affordability period is 99 years.

Rental Units—Ten percent of the residential units shall be affordable for households earning no more than 80 percent of the current MFI. As part of the opt-in/opt-out process, a neighborhood association or neighborhood planning team may request that the affordable rental units be available for renters earning a lower percentage of the median family income. This percentage can range from 80% to as low as 60 percent of the median family income. The affordability period is 40 years.

OTHER FREQUENTLY ASKED QUESTIONS:

DO I HAVE TO BUILD A VERTICAL MIXED USE BUILDING IF I GET REZONED THROUGH THE OPT-IN/OPT-OUT PROCESS?

The vertical mixed use combining district adds an additional development *option* to a property. Any property owner that gets their property rezoned through the opt-in/opt-out process to add the vertical mixed use building “V” combining district will still have the right to (re)develop under their existing base zoning district.

HOW HIGH CAN A VERTICAL MIXED USE BUILDING BE BUILT?

A vertical mixed use building cannot be built any higher than the base zoning district. For example, if your zoning is GR-V (community commercial-vertical mixed use building-combining district), the height limit would be 60 feet which is permitted under GR zoning.

IF THERE IS NO MINIMUM FRONT, STREET SIDE OR INTERIOR SIDE YARD SETBACKS CAN A VMU BUILDING BE BUILT RIGHT ON MY PROPERTY LINE?

The City of Austin requires compatibility standards to help minimize negative impacts between low-intensity and high-intensity uses. Any lot zoned for condominium, multifamily, office, commercial, or industrial uses must comply with compatibility standards if it is adjacent to, across the street from, or within 540 feet of a single-family zoning district or use.

HOW WILL I KNOW IF/WHEN A VERTICAL MIXED USE BUILDING IS BEING CONSTRUCTED?

Any property owner/developer who chooses to construct a vertical mixed use building must submit a site plan to the City. Filing of a site plan requires a notice of application be sent to all property owners and registered neighborhood organizations within 300 feet of the site via US Mail.

WHAT CAN I DO IF I DO NOT AGREE WITH THE NEIGHBORHOOD RECOMMENDATION?

The Opt-In/Opt-Out process includes two public hearings, first at Planning Commission and then at City Council. If you do not agree with the neighborhood recommendations you can submit a public comment form or email the zoning case manager with your comments. All comments will be forwarded to both Planning Commission and City Council. There is also an opportunity to attend the public hearings and state your comments directly to the Commissioners and City Council members.

HOW CAN I GET A VMU BUILDING ON MY PROPERTY IF I AM NOT IN THE OVERLAY DISTRICT?

Any property owner can apply for a rezoning of their property to add the vertical mixed use building "V" combining district. The Planning Commission reviews the applicant's request and forwards a recommendation to City Council.

IF THERE IS NOT A MINIMUM BUILDING COVERAGE REQUIREMENT, ARE THERE ANY OTHER LIMITATIONS ON BUILDING COVERAGE ON A LOT?

The City's impervious cover limits and compatibility standards will still apply.

WHERE CAN I FIND MORE INFORMATION ABOUT THE COMMERCIAL DESIGN STANDARDS AND VMU?

http://www.ci.austin.tx.us/planning/downloads/Subchapter_E_Design_Standards.pdf

<http://www.ci.austin.tx.us/planning/verticalmixeduse.htm>

ATTACHMENT #5

RECEIVED

JUN 04 2007

CANPAC

Central Austin Neighborhoods Planning Area Committee

Neighborhood Planning & Zoning

June 4, 2007

Mayor Will Wynn
City Council
City of Austin
c/o George Adams
City of Austin, Neighborhood Planning and Zoning Department
505 Barton Springs Road, Suite 500
Austin, Texas 78704

Re: Vertical Mixed Use (VMU) Opt-In/Opt-Out Process
Central Austin Combined Neighborhood Planning Area

Dear Mayor Wynn, Council Members and Mr. Adams,

Attached please find our VMU Opt-In/Opt-Out Application, completed and submitted in accord with the instructions given on the Austin City Connection website. We greatly appreciate the opportunity to participate in determining the application of this new zoning type. Members of our group have attended many of the public meetings on VMU over the course of the last few months, as have members of the component neighborhood association groups that comprise our planning area. We have held many meetings, both as a planning team and as individual neighborhood associations, to consider the VMU Opt-In/Opt-Out question. During our CANPAC meeting of May 29, 2007, we voted to submit the attached recommendations as CANPAC recommendations for Council consideration.

Please know that we fully support the goals of VMU and the inclusion of affordable housing in our neighborhood. In fact, these ideas were very much a part of our Neighborhood Plan, which we completed in 2004. The University Neighborhood Overlay (UNO) established many requirements similar to those in the VMU and Commercial Design Standards ordinances, and new construction in accord with these requirements is proceeding in that part of our planning area. Also, we adopted a range of mixed-use zoning rights and mixed-use building overlays in the commercial corridors in other parts of our neighborhood planning area. Having worked hard to craft good, compatible mixed-use zoning in our planning process, and having negotiated specific development rights on many commercial tracts within our area, on balance we find that VMU may not be the right tool to apply in a blanket overlay in much of our planning area. Therefore, we respectfully request that the City exclude the properties so noted on the attached VMU Opt-In/Opt-Out forms from VMU at this time.

Please also note that we continue to study the VMU question in our planning area, and may provide revised information within the 45-day extension period recently approved by the City Council. Also, while we have endeavored to note questions on addresses that appear to be incorrectly noted on the VMU detail maps, we may not have yet found all of these apparent errors. We may provide revisions related to address issues within the 45-day extension period, as well.

Respectfully submitted:
CANPAC Neighborhood Planning Team

CANPAC MEMBERS

*Eastwoods Neighborhood Association, Hancock Neighborhood Association, Heritage Neighborhood Association,
North University Neighborhood Association, Shoal Crest Neighborhood Association,
Caswell Heights Neighborhood Association, and University Area Partners*

CANPAC
AMENDED

CANPAC

Central Austin Neighborhoods Planning Area Committee

August 9, 2007

Mayor Will Wynn
City Council
City of Austin
c/o George Adams
City of Austin, Neighborhood Planning and Zoning Department
505 Barton Springs Road, Suite 500
Austin, Texas 78704

Re: Vertical Mixed Use (VMU) Opt-In/Opt-Out Process
Amended Application Excerpts
Central Austin Combined Neighborhood Planning Area

Dear Mayor Wynn, Council Members and Mr. Adams,

Attached please find excerpted amendments to our VMU Opt-In/Opt-Out Application, previously submitted on June 4, 2007. Please insert these excerpted amendment pages in our original application. (The amended pages replace the ones originally submitted.)

As we stated previously, please know that we fully support the goals of VMU and the inclusion of affordable housing in our neighborhood. In fact, these ideas were very much a part of our Neighborhood Plan, which we completed in 2004. The University Neighborhood Overlay (UNO) established many requirements similar to those in the VMU and Commercial Design Standards ordinances, and new construction in accord with these requirements is proceeding in that part of our planning area. Also, we adopted a range of mixed-use zoning rights and mixed-use building overlays in the commercial corridors in other parts of our neighborhood planning area. Having worked hard to craft good, compatible mixed-use zoning in our planning process, and having negotiated specific development rights on many commercial tracts within our area, on balance we find that VMU may not be the right tool to apply in a blanket overlay in much of our planning area. Therefore, we respectfully request that the City exclude the properties so noted on the attached VMU Opt-In/Opt-Out forms from VMU at this time.

Also as previously stated, there are apparent errors in some of the addresses given on the VMU maps for our planning area. We have endeavored to note questions on addresses that appear to be incorrectly noted on the VMU detail maps, but we may not have found all of these apparent errors. Please be sure to check the addresses given on the maps and reconcile them with the actual addresses of the properties depicted on the map.

Thank you.

Respectfully submitted:
CANPAC Neighborhood Planning Team

CANPAC MEMBERS

*Eastwoods Neighborhood Association, Hancock Neighborhood Association, Heritage Neighborhood Association,
North University Neighborhood Association, Shoal Crest Neighborhood Association,
Canwell Heights Neighborhood Association, and University Area Partners*

C11/34

Amended Opt-In/Opt-Out Application for Heritage Neighborhood

I. Support of mixed use development by Heritage Neighborhood.

The Heritage Neighborhood Association Neighborhood Plan, put into effect by ordinance on Aug. 26, 2004, supported high quality, pedestrian friendly, neighborhood scale, mixed use development on the perimeter of our neighborhood. Specifically, we supported allowing Neighborhood Mixed Use Buildings (NMUBs) on many sites, in which neighborhood scaling was enforced by a 1 acre limit on site area and by reasonable dimensional standards. At the same time, we supported the construction of Guadalupe 31, a 1.4 acre CS-MU zoned project with characteristics similar to the Vertical Mixed Use (VMU) projects allowed by Austin's new Design Standards and Mixed Use (DSMU) ordinance.

Heritage Neighborhood residents generally continue to support mixed use projects as envisioned in our Neighborhood Plan. Heritage is interested in working with developers to support mixed use projects that will enhance the quality of our neighborhood and support the goals of the City of Austin.

II. Special factors that justify a cautious approach to the application of the DSMU ordinance in Heritage Neighborhood.

- 1) Heritage Neighborhood is only four blocks wide, and bounded on three sides by Core Transit Corridors (CTCs). Therefore, the DSMU ordinance has the potential to place a disproportionate impact on Heritage.
- 2) Heritage has an intact historic core which contains homes dating from the 1840s through the 1930s, many of which display their original architecture. This intact historic neighborhood needs to be adequately protected.
- 3) Heritage Neighborhood already achieves the goals of the DSMU ordinance. Heritage has a mix of uses within the neighborhood: single family homes, multifamily housing, medical offices, and a variety of businesses. Heritage Neighborhood has a densely populated (over 23 people/acre) residential core which provides affordable housing in older apartments and condos, garage apartments, and small cottages. Heritage Neighborhood is pedestrian oriented, with a very wide variety of businesses (shops, restaurants, and services) on our perimeter, just a few blocks from our homes.
- 4) Heritage Neighborhood is home to a variety of valued local businesses that are generally not a good fit with VMU. Some of these businesses (Antone's Records, El Patio, Tom's Tabacley, KMFA) have been in Austin for several decades.

ATT. C-8.1
Amended 8/1/07

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Others (Amy's Ice Cream, Flamingo Automotive, Toy Joy) provide the local character that makes Austin unique.

This combination of factors justifies a cautious approach to the granting of new development rights within Heritage. Otherwise, many goals of both our Neighborhood Plan and the DSMU ordinance could be subverted rather than enhanced.

III. Need for additional design and compatibility standards for the neighborhood side of Vertical Mixed Use projects.

While we support the goals of the DSMU ordinance and mixed use development generally, and while Guadalupe 31 is a fine project in most respects, our experience with this project has raised a number of issues that must be addressed if DSMU is to be successfully applied in Heritage.

- 1) Its front sidewalk has a minimum width of only 9'-6", and is immediately adjacent to a lane of Guadalupe carrying heavy traffic. This makes the sidewalk feel narrow and unsafe, and provides too little room for substantial street trees.
- 2) The likely structure of any VMU project in Heritage is an attractive façade facing the Core Transit Corridor with a concrete parking structure to the rear. An example of this, the neighborhood side of Guadalupe 31, is shown in Figure 1. Such an unattractive presentation to residential properties by future VMU projects is not acceptable. The Design Standards in the DSMU ordinance do not adequately address the appearance of the neighborhood side of VMU projects.

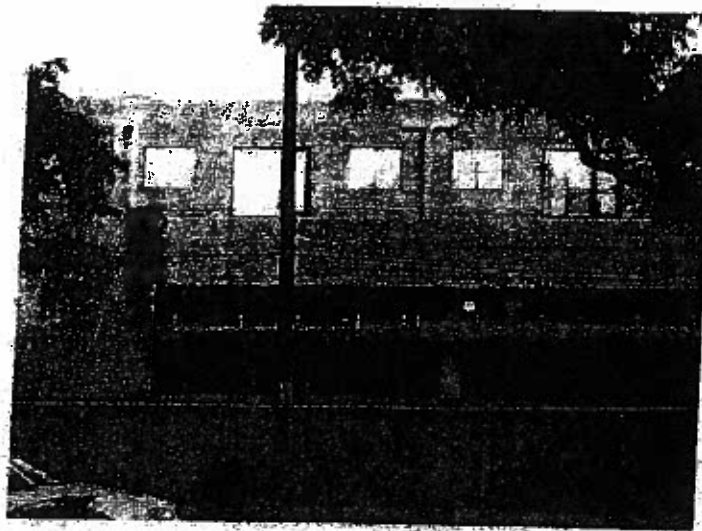


Figure 1. Neighborhood side of Guadalupe 31

ATT. C-8.2

Amended 8/9/17

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- 3) The associated parking ramp and privacy wall are intrusive, particularly relative to the adjacent small cottages, as shown in Figure 2. The DSMU ordinance fails to enforce our Neighborhood Plan's requirements that mixed use developments be "neighborhood scaled" and compatible with surrounding historic single-family houses. Heritage has cottages with both MF and CS zoning. *The lack of compatibility standards for VMU properties adjacent to MF or CS-zoned cottages and MF-zoned properties generally is of great concern.*

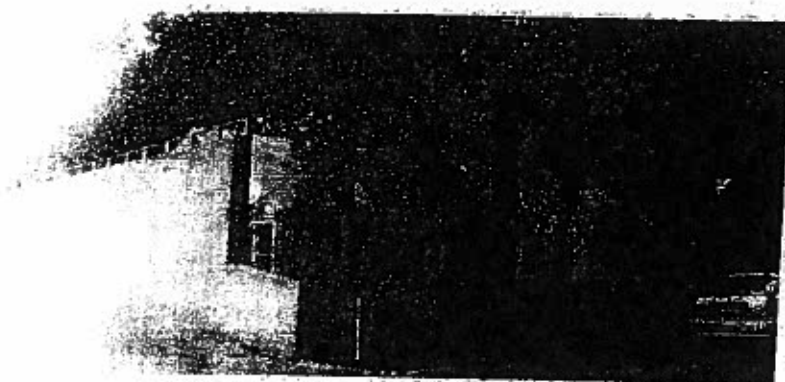


Figure 2. Ramp and privacy wall of Guadalupe 31, adjacent to small cottages.

It is the position of Heritage Neighborhood Association that modifications to the Design Standards for VMU projects are needed, so that future mixed use projects will be high-quality, compatible with adjoining properties, and help to sustain our neighborhood. These modifications should address issues including solar rights of adjoining residential properties; shielding of exterior lighting; architectural screening of parking and utilities; placement of water retention facilities, air conditioning units, ramps, driveways, and dumpsters, and design of fencing between VMU projects and the adjacent properties.

Heritage Neighborhood is willing to work with the City and the development community to develop workable design and compatibility standards that meet all parties' needs in a spirit of genuine partnership. We have a number of experts in this area who could assist such an effort.

IV. Opt-In/Opt-out recommendations.

For the reasons and considerations expressed above, we respectfully request the following:

- 1) All of our opt-out properties adjacent to SF and MF residential properties shall be removed from the VMU overlay. We request that the City revise the Design Standards for the neighborhood side of VMU buildings as outlined above, and implement compatibility standards for VMU properties adjacent to MF-zoned properties.

Att. C.B.3

(Amended 8/9/07)

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We are willing to reconsider our opt-out properties adjacent to SF and MF residential properties for future inclusion in the VMU overlay, if adequate standards that protect the neighborhood and address our concerns are adopted. At that time, we would also consider whether relaxed dimensional standards would be appropriate for some sites. In the mean time, Heritage Neighborhood is willing to work with developers to find solutions for individual VMU projects.

- 2) There shall be no relaxation of the required 15' sidewalk width on a CTC for new developments in Heritage Neighborhood. Specifically, we request that the Design Standards in Heritage be modified to disallow the alternative requirements for shallow lots (2.2.2.B.4), to disallow any exemption from the 15' width requirement by Alternative Equivalent Compliance (1.5), and to specifically clarify that the 15' width requirement takes precedence over any right gained to zero front set-back from reduced dimensional standards.

We are of the opinion that on-street head-in parking is unsafe for the high traffic Core Transit Corridors that border Heritage Neighborhood. Therefore, we request that

- 3) The Design Standards should be modified in Heritage Neighborhood to disallow on-street head-in parking for VMU projects on our CTCs.

We live close to the largest University in the country, which does not provide adequate parking for its staff, not to mention its student population. Adequate parking is necessary for all of us to live in harmony, side by side within this neighborhood and in the surrounding neighborhoods. Therefore, we request that

- 4) No relaxed parking standards should be allowed for any VMU property in Heritage Neighborhood.

Heritage Neighborhood already experiences an undue burden from high-traffic medical office complexes. Also, a primary goal of the ordinance is to provide increased population density along Core Transit Corridors. For these reasons, we request that

- 5) The VMU overlay in Heritage shall be modified to disallow any use other than residential on upper floors for any VMU project that takes advantage of relaxed dimensional standards.

In addition, we have special concerns for the following parcels:

- 6) The northern portion of Heritage Neighborhood has numerous medical office buildings that extend into the residential interior portion of the neighborhood. As a result, the homes on 37th and 35th Streets are in a particularly fragile part of the neighborhood. To protect this part of the neighborhood, we ask that the parcels on 711 W. 38th Street, 3702 Ronson Street and 623 W. 38th Street be removed from the VMU overlay until Design Standards are developed for the neighborhood side. In addition, we ask that they remain opted out of relaxed dimensional standards, so that

ATT. C-8.4
Amended 8/9/07

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these standards can be addressed through a future negotiation if and when the sites are redeveloped. In particular, a VMU development on the 711 W. 38th Street parcel, could result in a fully built out "box" or "building envelope" up to 60' tall overwhelming the adjacent fragile 35th Street section of our neighborhood, given an exemption from FAR and Site Area Requirements by relaxed dimensional standards. Neighbors prefer to mitigate the impact of such an out-of-scale development so close to single-family homes by negotiating with the developer(s), rather than agree to an abstract development concept outright.

- 7) Parcels with iconic businesses in Heritage include 2900 Guadalupe St (Toy Joy), 3512 Guadalupe St (Flamingo Automotive), 2938 Guadalupe St (El Patio), 2928 Guadalupe St (Antone's Records and Tom's Tabooley), 3500 Guadalupe St (Amy's Ice Cream), and 3001 N Lamar Blvd (KMFA). To help protect these local businesses, we request that the properties be removed from the VMU overlay and remain out as long as the businesses remain at the stated locations.
- 8) The parcels at 3700 Guadalupe (Trafton & Son Inc.) and 3404 Guadalupe (Elephant Productions) are historic structures. Trafton Tile has remarkable architectural elements, including an exterior made of tile, while Elephant Productions is in the old Decker House. To help preserve these structures, we request that the properties be removed from the VMU overlay.

Heritage Neighborhood Association has an established track record of supporting mixed-use development, and looks forward to working together with the City and the development community to implement Vertical Mixed Use in a spirit of mutual respect and cooperation.

Accepted by Heritage Neighborhood Association

7/9/2007

17 in favor, 0 opposed

ATT. C-8.6
(AMENDED 8/19/07)

ATTACHMENT #6

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Neighborhood Planning & Zoning

VERTICAL MIXED USE (VMU) OPT-IN/OPT-OUT APPLICATION

The purpose of this application is to provide recommendations on the location and standards for Vertical Mixed Use within the below named area.

Detailed instructions for completing this application can be found by clicking on this link: http://coageoid01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu_instructions.pdf. Please read these instructions prior to completing this application. A "Submittal Checklist" is provided at the end of this document to help ensure that all application materials are included in the neighborhood submittal.

If you have questions or need additional information, please contact the VMU Help Line at:

vmu@ci.austin.tx.us

or (512) 974-2150

1. IDENTIFY YOUR NEIGHBORHOOD PLANNING OR APPLICATION AREA AND PROVIDE THE FOLLOWING INFORMATION:

A. NAME OF NEIGHBORHOOD PLANNING AREA OR VMU APPLICATION AREA: Central Austin Combined Neighborhood Planning Area.

*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: <http://coageoid01.ci.austin.tx.us/GIS-Data/planning/maps/CommercialDesign/VerticalMixedUseColorMap.pdf>. This map also shows properties within the VMU Overlay District and properties with the MU Combining District that are included in the opt-in/opt-out process.

B. NAME OF NEIGHBORHOOD PLANNING TEAM CHAIR OR NEIGHBORHOOD ASSOCIATION CHAIR AND SECONDARY CONTACT.

NEIGHBORHOOD PLANNING TEAM OR NEIGHBORHOOD ASSOCIATION CHAIR CONTACT INFORMATION:

NAME LINDA B. TEAM

PHONE 472-1930

E-MAIL lteam@austin.tx.com

MAILING ADDRESS 600 Bellevue Place, Austin, TX 78705

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Neighborhood Planning & Zoning

VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: <i>Heritage NA</i>			PAGE <i>30 of 31</i> 30 of 30	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
<i>2901 N. LAMAR</i>	<i>exclude from VMU map</i>		<i>opt-out</i>	<i>opt-out</i>	<i>opt-out</i>
<i>2906 San Gabriel</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>2908 San Gabriel</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>2915 N. LAMAR</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>3001 N. LAMAR</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>3008 W. 30th St. *</i>		<i>do not opt-in to VMU</i>	<i> </i>	<i> </i>	<i> </i>
<i>3007 N. LAMAR</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>3009 N. LAMAR</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>3011 N. LAMAR</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>3027 N. LAMAR</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>306 W. 31st St.</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>3105 N. LAMAR</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>3101 N. LAMAR</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>
<i>3109 N. LAMAR</i>	<i> </i>		<i> </i>	<i> </i>	<i> </i>

* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

* This property is zoned and used as SF-2 (single family residence). It appears to have been included on the VMU map in error.

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Neighborhood Planning & Zoning

VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: <i>Heritage NA</i>			PAGE <i>30 of 31</i> 99 of 98	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a 'package' and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
<i>3311 N. Lamar</i>	<i>exclude from VMU overlay</i>		<i>opt-out</i>	<i>opt-out</i>	<i>opt-out</i>
<i>3317 N. Lamar</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3401 N. Lamar</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3411 N. Lamar</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3419 N. Lamar</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3410 N. Lamar</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3423 N. Lamar</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3412 N. Lamar</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3515 N. Lamar</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3701 N. Lamar</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>911 W. 38th St.</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>901 W. 38th St.</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>801 W. 38th St.</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3701 West Ave.</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>

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Neighborhood Planning & Zoning

VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: <i>Heritage NA</i>			PAGE <i>30 of 31</i> <i>25 of 25</i>	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
<i>711 W. 38th St.</i>	<i>exclude from VMU overlay</i>		<i>opt-out</i>	<i>opt-out</i>	<i>opt-out</i>
<i>3708 Ronson St.</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>623 W. 38th St.</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3706 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3700 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3610 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>601 W. 37th St *</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>604 W. 36th St ***</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3706 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3704 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3702 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3700 Guadalupe ***</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3708 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3704 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>

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Neighborhood Planning and Zoning Department

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February 20, 2007

** We can't find this address in RADAR COACTS. (There is a reference to 601 1/2 W. 37th on COACTS.) Please confirm this address*

**** This address occurs at a lot different from that depicted on the VMU detail map. The mapped location appears to be 3608 Guadalupe. Please confirm this address.*

**** This address occurs at a lot different from that depicted on the VMU detail map. The mapped location appears to be 3608 Guadalupe, and 3600 Guadalupe is actually the lot to the south of that shown on the VMU detail map. Please confirm this address.*

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Neighborhood Planning & Zoning

VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: <i>Heritage NA</i>			PAGE <i>35 of 35</i> 35 of 35	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
<i>3202 Guadalupe</i>	<i>exclude from VMU overlay</i>		<i>opt-out</i>	<i>opt-out</i>	<i>opt-out</i>
<i>3120 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3114 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3110 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>613 W 31 1/2 St. *</i>		<i>do not opt-in to VMU</i>	<i>"</i>	<i>"</i>	<i>"</i>
<i>3016 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3010 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>3004 Guadalupe **</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>602 W. 30th St.</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>601 W. 30th St.</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>2992 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>2923 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>2913 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>
<i>2912 Guadalupe</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>

* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

Neighborhood Planning and Zoning Department

February 20, 2007

* This address occurs at a different location from that depicted on the VMU detail map. This property is zoned and used as SF-3/Single Family Residence. It appears that the mapped location is actually 3100 Guadalupe. Please confirm this address. Please also note that 1912 N. 30th St. is outside the VMU overlay.

** This property is zoned HISTORIC, and is automatically excluded from the VMU overlay. (It is not shown shaded on the VMU detail map, but the address is shown there, so the indication is not entirely clear. We note this for the record, in the interest of clarity.)

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Neighborhood Planning & Zoning

VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: <i>Heritage NA</i>			PAGE <i>3F of 3F</i> 25 of 25	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
<i>2204 Euclid Ave</i>	<i>exclude from VMU overlay</i>		<i>opt-out</i>	<i>opt-out</i>	<i>opt-out</i>
<i>2200 Euclid Ave</i>	<i>"</i>		<i>"</i>	<i>"</i>	<i>"</i>

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Neighborhood Planning & Zoning

NUNA VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: <i>North University NT</i>			PAGE <i>30</i> of <i>34</i>	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
<i>2711 Guadalupe</i>			<i>Opt-Out</i>	<i>Opt-Out</i>	<i>Opt-Out</i>
<i>2801 Guadalupe</i>			<i>Opt-Out</i>	<i>Opt-Out</i>	<i>Opt-Out</i>
<i>2815 Guadalupe</i>			<i>Opt-Out</i>	<i>Opt-Out</i>	<i>Opt-Out</i>
<i>2817 Guadalupe</i>			<i>Opt-Out</i>	<i>Opt-Out</i>	<i>Opt-Out</i>
<i>2825 Guadalupe</i>			<i>Opt-Out</i>	<i>Opt-Out</i>	<i>Opt-Out</i>
<i>512 W 29th St.</i>			<i>Opt-Out</i>	<i>Opt-Out</i>	<i>Opt-Out</i>
<i>2909 Guadalupe</i>			<i>Opt-Out</i>	<i>Opt-Out</i>	<i>Opt-Out</i>
<i>2915 Guadalupe</i>			<i>Opt-Out</i>	<i>Opt-Out</i>	<i>Opt-Out</i>
<i>2917 Guadalupe</i>			<i>Opt-Out</i>	<i>Opt-Out</i>	<i>Opt-Out</i>
<i>2927 Guadalupe</i>			<i>Opt-Out</i>	<i>Opt-Out</i>	<i>Opt-Out</i>

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Neighborhood Planning & Zoning

NUNA

VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: <u>North University NA</u>			PAGE <u>31</u> of <u>34</u>	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
3001 Guadalupe		no	o/o=opt out		
3005 Guadalupe		no	o/o out	o/o out	o/o out
3023 Guadalupe		no	o/o out	o/o out	o/o out
3025 Guadalupe		no	o/o out	o/o out	o/o out
3105 Guadalupe		no	o/o out	o/o out	o/o out
3423 Guadalupe		no	o/o out	o/o out	o/o out
3501 Guadalupe		no	o/o out	o/o out	o/o out
3511 Guadalupe		no	o/o out	o/o out	o/o out
3701 Guadalupe		no	o/o out	o/o out	o/o out
3713 Guadalupe		no	o/o out	o/o out	o/o out
505 W 38th Street	yes	no	o/o out	o/o out	o/o out
3706 Speedway	yes	no	o/o out	o/o out	o/o out
3707 Speedway	yes	no	o/o out	o/o out	o/o out

* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

These property addresses (Numbers) refer to the attached plat (Grid Page AZ 32) and include the entire parcel, tract, or lot to which they refer.

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VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: <i>Casual Heights NA</i>			Neighborhood Planning & Zoning	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	PAGE <i>31</i> of <i>31</i> Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
1901 N. Lamar	yes		yes	yes	yes
1905 N. Lamar	yes		yes	yes	yes
1907 N. Lamar	yes		yes	yes	yes
2001 N. Lamar	yes		yes	yes	yes
2003 N. Lamar	yes		yes	yes	yes
2201 N. Lamar	yes		yes	yes	yes
2205 N. Lamar	yes		yes	yes	yes

* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

VERTICAL MIXED USE OVERLAY DISTRICT FORM

Address of Property

APPLICATION AREA: UAP

PAGE 1 OF 2

Amend the boundaries of the VMU Overlay District to exclude this property

This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.

Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)

Opt-Out of Parking Reductions (commercial uses only)

Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)

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Neighborhood Planning & Zoning

The Neighborhood recommends "Opting-Out" of VMU (excluding these properties from the VMU Overlay

District All properties within its boundaries

Including but NOT limited to the following addresses:

All Properties on the West side of Guadalupe Street from MLK Blvd. to 29th Street, including but not limited to the following Addresses:

1904 Guadalupe St.	X		X	X	X
1906 Guadalupe St.	X		X	X	X
1914 Guadalupe St.	X		X	X	X
2002 Guadalupe St.	X		X	X	X
	X				
2010 Guadalupe St.	X		X	X	X
2026 Guadalupe St.	X		X	X	X
2100 Guadalupe St.	X		X	X	X
2112 Guadalupe St.	X		X	X	X
2120 Guadalupe St.	X		X	X	X
2130 Guadalupe St.	X		X	X	X
2200 Guadalupe St.	X		X	X	X
2222 Guadalupe St.	X		X	X	X
2236 Guadalupe St.	X		X	X	X
2244 Guadalupe St.	X		X	X	X
2246 Guadalupe St.	X		X	X	X
405 22 23rd St	X		X	X	X
2300 Guadalupe St.	X		X	X	X
	X				
2312 Guadalupe St.	X		X	X	X
2338 Guadalupe St.	X		X	X	X
	X				
2352 Guadalupe St.	X		X	X	X
407 22 W. 24th St	X		X	X	X
2402 Guadalupe St.	X		X	X	X
2404 Guadalupe St.	X		X	X	X
2414 Guadalupe St.	X		X	X	X
2418 Guadalupe St.	X		X	X	X
2422 Guadalupe St.	X		X	X	X
2428 Guadalupe St.	X		X	X	X
	X		X	X	X
2434 Guadalupe St.	X		X	X	X
2438 Guadalupe St.	X		X	X	X
	X		X	X	X
2510 Guadalupe St.	X		X	X	X
2512 Guadalupe St.	X		X	X	X
2514 Guadalupe St.	X		X	X	X

VERTICAL MIXED USE OVERLAY DISTRICT FORM

Address of Property	APPLICATION AREA: UAP			PAGE 1 OF 1	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
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Neighborhood Planning & Zoning

2520 Guadalupe St.	X		X	X	X
2532 Guadalupe St.	X		X	X	X
2538 Guadalupe St.	X		X	X	X
2552 Guadalupe St.	X		X	X	X
2558 Guadalupe St.	X		X	X	X
2600-2634 Guadalupe St. (addresses left off of city VMU map)	X		X	X	X
2602 Guadalupe St.	X		X	X	X
	X		X	X	X
2700 Guadalupe St.	X		X	X	X
2712 Guadalupe St.	X		X	X	X
2714 Guadalupe St.	X		X	X	X
2718 Guadalupe St.	X		X	X	X
2800 Guadalupe St.	X		X	X	X
2802 Guadalupe St.	X		X	X	X
2810 Guadalupe St.	X		X	X	X
2816 Guadalupe St.	X		X	X	X
2818 Guadalupe St.	X		X	X	X
2820 Guadalupe St.	X		X	X	X
2828 Guadalupe St.	X		X	X	X

All Properties on the North side of MLK Blvd. from Guadalupe St. to Pearl Street, including but not limited to the following Addresses:

	X				
400 W. MLK Blvd.	X		X	X	X
1903 San Antonio St.	X		X	X	X
1928 San Antonio St.	X		X	X	X
510 W. MLK Blvd.	X		X	X	X
600 W. MLK Blvd.	X		X	X	X
1901 Rio Grande	X		X	X	X
700-798 W. MLK Blvd. (addresses left off of city VMU map)	X		X	X	X

All Properties on the East side of Guadalupe Street from MLK Blvd. to 29th Street, including but not limited to the following Addresses:

1901 Guadalupe St.	X		X	X	X
1915 Guadalupe St.	X		X	X	X
2001 Guadalupe St.	X		X	X	X
2003 Guadalupe St.	X		X	X	X
2007 Guadalupe St.	X		X	X	X
2025 Guadalupe St.	X		X	X	X

2504 Guadalupe St

X

X

X

X

THESE ARE
THE ONLY
VMU
PROPERTIES
DESIGNED
IN HANCOCK

Hancock NA

VERTICAL MIXED USE OPT-IN FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: Hancock NA			PAGE 5A of 50
	Opt-In for Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-In for Parking Reductions (commercial uses only)	Opt-In for Ground Floor Uses in office zoning districts (NO, LO, GO)	The neighborhood recommends opt-in for all VMU related standards.
3209 Red River	Y	N	N	
3211 Red River	Y	N	N	
4227 4427 Duval	Y	N	N	
4409 Duval	Y	N	N	
4011 Red River	Y	N N	Y	
905 E 41	Y	N N	Y	
407 E 41	Y	N N	Y	
909 E 41	Y	N N	Y	
915 E 41	Y	N N	Y	
923 E 41	Y	N N	Y	
925 E 41	Y	N N	Y	
927 E 41	Y	N N	Y	
929 E 41	Y	N N	Y	
1007 E 41	Y	N N	Y	
1009 E 41	Y	N N	Y	
1011 E 41	Y	N N	Y	
1021 E 41	Y	N N	Y	
1029 E 41	Y	N N	Y	
1033 E 41	Y	N N	Y	

* These properties are zoned and used as SF. 3 (single-family residence).
 It appears to have been listed on the VMU detail map in error. (Also, the mapped location appears to be 9900 West Ave.)
 ** This address occurs at a lot different from that depicted on the VMU detail map.
 The mapped location appears to be 900 W. 29th. Please confirm this address.

VERTICAL MIXED USE OPT-IN FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: <i>Heritage NT</i>			PAGE <i>58</i> of <i>60</i>
	Opt-In for Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-In for Parking Reductions (commercial uses only)	Opt-In for Ground Floor Uses in office zoning districts (NO, LO, GO)	The neighborhood recommends opt-in for all VMU related standards.
<i>805 W. 37th St.</i>	<i>do not opt-in</i>	<i>do not opt-in</i>	<i>do not opt-in</i>	<i>do not opt-in</i>
<i>3513 West Ave.</i>	"	"	"	"
<i>624 W. 37th St.</i>	"	"	"	"
<i>609 W. 37th St.</i>	"	"	"	"
<i>2902 West Ave. *</i>	"	"	"	"
<i>2904 West Ave. *</i>	"	"	"	"
<i>804 W. 29th St.</i>	"	"	"	"
<i>806 W. 29th St.</i>	"	"	"	"
<i>2902 Pearl **</i>	"	"	"	"

VERTICAL MIXED USE OPT-IN FORM

ADDRESS OF PROPERTY*	APPLICATION AREA: <i>Shoal Crest</i>			PAGE <i>6C</i> of <i>5D</i> <i>4</i> of <i>7</i>
	Opt-In for Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-In for Parking Reductions (commercial uses only)	Opt-In for Ground Floor Uses in office zoning districts (NO, LO, GO)	The neighborhood recommends opt-in for all VMU related standards.
	<i>Do Not Opt-in</i>	<i>Do Not opt-in</i>	<i>Do Not Opt-in</i>	<i>Do Not Opt-in</i>
<i>917 W. 29th</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>915 W. 29th</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>913 W. 29th</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>911 W. 29th</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>909 W. 29th</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>905 W. 29th</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>809 W. 29th</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>807 W. 29th</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>805 W. 29th</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>801 W. 29th</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>2831 Salado</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>2829 Salado</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>
<i>2842 Pearl</i>	<i>//</i>	<i>//</i>	<i>//</i>	<i>//</i>

Note: All Addresses listed above are shaded as "Mixed use Combining Districts (opt in)" on the VMU detail map. We do Not wish to "opt-in" any of these addresses